

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

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| THE ESTATE OF JAMES D. | : | |
| GALLOWAY, Deceased, by and through: | : | Civil Action No. 05-0050 Erie |
| EDMOND C. GALLOWAY, Successor | : | |
| Trustee of the JAMES D. GALLOWAY | : | Judge Sean J. McLaughlin |
| Revocable Living Trust, | : | |
| Plaintiff | : | |
| | : | |
| v. | : | |
| | : | |
| THE UNITED STATES OF AMERICA, | : | |
| Defendant | : | |

ORDER

This matter is before the Court upon the unopposed motion of plaintiff, Estate of James D. Galloway, Deceased, by and through Edmond C. Galloway, Successor Trustee of the James D. Galloway Revocable Living Trust, by and through its counsel to substitute Edmond C. Galloway, Successor Trustee, in his capacity as Successor Trustee of the Trust under agreement of James D. Galloway, now deceased, as the sole plaintiff in this case; and that the substituted plaintiff be permitted to amend his Complaint in the instant matter to effectuate the purpose and intent behind the unopposed Motion to Substitute Plaintiff.

AND NOW, this ____ day of _____, 2005, upon consideration of the foregoing motion and it appearing that said motion should be granted under FRPC Rule 15, it is hereby ORDERED that the unopposed motion to substitute personal representative as plaintiff is granted.

It is further ORDERED that Edmond C. Galloway, Successor Trustee, is hereby substituted as the sole party plaintiff as if he had originally filed the above captioned complaint.

It is further ORDERED that the plaintiff shall file the First Amended Complaint attached to the foregoing Motion as Exhibit A within 10 days of this Order.

Sean J. McLaughlin
UNITED STATES DISTRICT JUDGE